

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

IN THE MATTER OF THE	*	CIVIL ACTION
COMPLAINT OF INGRAM BARGE	*	
COMPANY, AS OWNER OF THE	*	NO. 05-4419
ING4727, PETITIONING FOR	*	
EXONERATION FROM OR	*	SECTION "C" (2)
LIMITATION OF LIABILITY	*	JUDGE BERRIGAN
	*	MAG. JUDGE WILKINSON
* * * * *	*	

THIS DOCUMENT RELATES TO: CASE NOS. 05-4237, 05-5531, 05-5724; 06-5054; 06-5342; 06-6299; 06-7516

**UNITED STATES OF AMERICA'S MOTION TO DISMISS  
LAFARGE NORTH AMERICA INC.'s THIRD-PARTY COMPLAINTS**

Third-party defendant, the United States of America, moves pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(h)(3) to dismiss the third-party complaints filed against it by Lafarge North America Inc. in the following consolidated actions: *Parfait* (05-4237), *Boutte* (05-5531), *Mumford* (05-5724), *Hubert* (06-5054), *Lagarde* (06-5342), *Perry* (06-6299), and *Benoit* (06-7516).

For the reasons set forth in the accompanying Memorandum of Law, this Court lacks subject matter jurisdiction over the third-party claims against the United States.

Dated: June 22, 2007

Respectfully submitted,

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/s/ Kara K. Miller

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**CERTIFICATE OF SERVICE**

I, Kara K. Miller, hereby certify that on June 22, 2007, I served a true copy of Defendant United States of America's Motion to Dismiss Lafarge North America Inc.'s Third-party Complaints, Memorandum of Law in Support, and Notice of Hearing upon all counsel of record by ECF or first class mail.

/s/ Kara K. Miller  
Kara K. Miller